

CONGRESS OF THE UNITED STATES
CONGRESSIONAL CAUCUS ON VIETNAM

AND

THE CONGRESSIONAL HUMAN RIGHTS CAUCUS

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Joint Members' Briefing:

Vietnam:

A People Silenced -- The Vietnamese Government's

Assault on the Media and Access to Information

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PROCEEDINGS

MS. SANCHEZ: Good afternoon. I'd like to welcome you on behalf of the Congressional Human Rights Caucus and the Congressional Caucus on Vietnam to today's briefing.

I would first like to thank Congressman Tom Lantos and Congressman Frank Wolf, as well as my fellow co-chair of this Congressional Caucus on Vietnam, Zoe Lofgren, for sponsoring today's hearing, and I would also like to express my gratitude to Dan Huang for the technical assistance and advice, Dan, that you have provided all the way along in this process. You've always been a tremendous resource to me and to my office, and I thank you for that.

I know that Zoe is going to introduce each of the witnesses, but I would like to express all of my sincere thanks to all of you who will be appearing before us today. It is through these efforts that we are able to continue to give a voice, in particular, to the many dissidents that are still in Vietnam, who suffer daily at the hands of the Vietnamese Government but who continue to push for a message of human rights.

Since the passage of the Bilateral Trade Act in 2001, it's been even more important for us to continue to ask what is happening within Vietnam and to ask about those human rights conditions. And, of course, as we know, not much has changed; in fact, some things have gotten worse. Although Vietnam had pledged to uphold the right to freedom of expression, including the right to seek and receive and impart information and ideas of all kinds, the Government, in fact, has acted to the contrary.

The statistics speak for themselves. There is no private ownership of anything as far as press in Vietnam still. 500-plus newspapers and magazines, all owned by the state. And approximately 2,000 of Vietnam's 5,000 Internet sites are currently blocked for posting content that the state deemed subversive or reactionary. Foreign journalists are subjected to harsh scrutiny when covering stories within Vietnam and are often expelled if they are believed to be working against the interests of the state.

Radio Free Asia is continually jammed. Journalists, poets, democracy and human rights advocates and cyber dissidents continue to be harassed, to be placed under house arrest or issued harsh jail sentences. Earlier this year, I sent a letter, which was signed by many of my colleagues in protest of Dr. Pham Hung Sun's detention. As you know, he got 13 years for translating an article entitled What is Democracy? and posting it online--13 years. It was ultimately reduced to five years because of the international human rights community's vigorously protesting his case and bringing it up day after day. That is why we need to continue voicing our opposition to a lack of human rights.

That's why we're here today: to listen to brave people express and give us an idea still of what is going on in Vietnam. Freedom of expression is a fundamental human right, and it's an essential tool in winning the transparency and openness of a society.

Vietnam has a long way to go in the hopes to one day become a fully integrated member of the global community. I want to thank my friend my colleague, Congresswoman Zoe Lofgren. She has, I think, the second-largest Vietnamese—

MS. LOFGREN: It's the first!

MS. SANCHEZ: The first is in Orange County! But, you know, even in some cases, we have a little competition here. But I'd like to thank her for, from the very beginning, helping me with the Vietnamese community, understanding it, understanding the issues, and for these past seven years that I've been in the Congress, thank you so much for working hand-in-hand on these issues that are so important and for really being a leader to this community in particular but to every community, because when we work on human rights in one country, we are really working on human rights around the world. Thank you, Zoe.

MS. LOFGREN: Thank you very much for those very kind remarks, Loretta, and I would like also to welcome all of you to our briefing on the current state of freedom of speech in Vietnam. I would like to give a special thanks to our witnesses for being here, especially to the witnesses who flew all the way from California to be here today.

The dismal state of freedom of the press and the lack of the free flow of information in Vietnam needs to be heard, and I am pleased that you are all here to help us raise awareness in Congress and in the public at large. It's discouraging, actually, that Congresswoman Sanchez and I have to continually hold these briefings on an almost biannual basis, and I certainly look forward to some day when we no longer need to have these briefings, that freedom has actually occurred in Vietnam.

Unfortunately, Vietnamese citizens are being persecuted for communicating with the outside world at a time when the Vietnamese Government is expressing interest in becoming more integrated with the global community. The Vietnamese Constitution says the citizen shall enjoy freedom of opinion and speech, freedom of the press, the right to be informed, the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law.

However, the Vietnamese Government has systematically suppressed the free flow of information and the freedom of the press with decrees and directives that subvert the free flow of information under the guise of national security. There are persistent reports of imprisoned journalists and jammed radio and Internet sites all over Vietnam.

Just a few weeks ago, relatives of a detained priest, Phuong Lee, were sentenced to three to five years for so-called "abuse of democratic freedoms," when it appears that all they were doing was exercising those very democratic freedoms they supposedly abused. Reporters Without Borders says Tranh Hue, a 67-year-old literature teacher and founder of an anticorruption group, was arrested on December 29 of last year for posting government criticism

on the Internet. He has been held without trial, and Government authorities will not confirm or deny rumors that he may have died in detention.

On February 21 of last year, Reporters Without Borders told us that Le Chi Quang was arrested at a cybercafe in Hanoi by an undercover police officer for allegedly posting "dangerous information" on the Internet. The International Institute for Vietnam reports that Professor Nguyen Dinh Hue, a journalist and writer, was arrested in 1993 and sentenced to 15 years in prison for urging the Vietnamese Government to respect freedom of press, expression, creativity, publication and dissemination of information. He remains in prison today.

And another report from the International Institute for Vietnam: Nguyen Kat Quan has been serving a 12-year sentence since December of 2002 for posting Internet reports on protests about Government corruption. Worse yet is report after report of political dissidents detained without trial: Nguyen Bu Binh for allegedly advocating democracy in essays posted on the Internet; Nguyen Duen Hue, a physician and editor of an underground newsletter, being held for over 18 years in various hard labor camps. The list really goes on and on.

Reporters Without Borders says that "Vietnam remains one of the world's most repressive countries where the Internet is concerned." They say, and again, I quote: "The Vietnamese Government blocks access to Websites it considers politically and morally dangerous, including foreign news sites and those of human rights organizations set up by Vietnamese-Americans abroad." Moreover, Reporters Without Borders says the Government monitors the sites people visit and regularly hacks into Websites they consider undesirable.

One religious movement says the Vietnamese Government sends computer viruses by email to the movement's followers. This is just unacceptable. The U.S. Commission on International Religious Freedom, Reporters Without Borders and the International Institute for Vietnam are not alone. Members of Congress have repeatedly sent letters to the Vietnamese Government asking them to release prisoners of conscience and to refrain from various forms of political, religious and cultural oppression. Nobel Peace Prize laureates have written the Prime Minister of Vietnam on behalf of Dr. Nguyen Dinh Hue, a Vietnamese doctor who has been held incommunicado.

The U.S. State Department has steadily called for the release of prisoners. Unfortunately, the vast majority of these requests seem to fall on deaf ears. Until Vietnam stops oppressing its people, the Commission on International Religious Freedom, Reporters Without Borders, the International Institute for Vietnam, Members of Congress and other organizations and individuals will continue to hold press conferences to raise awareness. We will form and participate in Congressional caucuses that focus on human rights abuses in Vietnam. We will advocate for legislation such as the Vietnam Human Rights Act and the Freedom of Information in Vietnam Act. We will hold Congressional briefings like this one to inform Congress and the public of Vietnam's Government's restrictions on information and the media, because after all, if we cannot have a free flow of information, we cannot, in the end, have freedom and democracy. We want to make sure that the whole world is watching, and we will not cease until we see improvements in Vietnam.

At this point, I would like to call our first panel forward. It's a panel of one. That panelist is Nina Shea. Ms. Shea is the vice-chair of the United States Commission on International Religious Freedom. She has been an international human rights lawyer for 20 years and has, for 13 years, focused specifically on the issue of religious persecution. She is also the director of the Center for Religious Freedom of Freedom House, America's oldest human rights group, founded in 1941 by Eleanor Roosevelt and Wendell Wilkie.

MS. SHEA is the author of a widely-acclaimed book on anti-Christian persecution around the world, *In the Lion's Den*, and has been one of the activists at the forefront of the movement to make religious freedom abroad a U.S. foreign policy priority, and her resume goes on and on. She has a degree from Alvernia College in Reading, Pennsylvania, and **MS. SHEA** is gracious enough to join us, and we have a time frame that we try and adhere to. We won't be strict, but it would give us time for questions, and when your time is up, the red light will go on.

MS. SHEA: Thank you so much, Madam Chairman, and I want to commend you for holding this hearing on an important subject that deserves serious attention from Congress. And the title of this hearing is a particularly compelling one. The silencing of those who dissent from state orthodoxy is what has made human rights a constant irritant in our bilateral relations with Vietnam. Freedom of religion allows for the freedom to publish one's opinion as well as to publish sacred texts. It allows people to speak their minds or change their minds freely and without interference from the state. Despite its constitutional guarantees, Vietnamese law regulates just what one can say; what information one can have; or what belief one can adopt or practice. That is why advocates of freedom of speech and freedom of religion are arrested for such vague offenses as inciting social disorder, threatening national security, disrupting national unity or violating Vietnamese values and traditions.

Yesterday, Vietnam's foreign minister lunched with Members of Congress who tried to persuade them about "the democratic progress being made in Vietnam." He wants to expand relations between our two countries, but a genuine, long-term friendship will only come about when the Government of Vietnam respects international standards of human rights, including freedom of speech and freedom of religion.

Now, the U.S. Commission on International Religious Freedom has followed events in Vietnam closely since our inception four years ago. We have traveled to Vietnam and met with visiting Vietnamese delegations. Last May, we issued a report detailing our concerns that the Vietnamese Government is engaged in serious and ongoing human rights abuses. Key dissidents have been imprisoned; others remain in prison under house arrest.

In addition, the government intensified its crackdown on religious and ethnic minorities in the northwest provinces and the central highlands. As a result, the Commission has recommended that Vietnam be designated as a country of particular concern. The deteriorating human rights situation is particularly disappointing, because there were hopes that expanded U.S.-Vietnamese economic ties would improve the human rights dialogue. After the passage of

the Bilateral Trade Act of 2001, Vietnam's exports to the U.S. have more than doubled each year, with a growth of 57 to 73 percent expected for the last year.

We all know the benefits of expanded trade, but respect for human rights and religious liberty should also be an integral part of U.S. relations with Vietnam. Our economic relationship has taken several steps forward, but in protecting human rights, Vietnam has taken a big step backward. And we're not alone in this assessment. The State Department has voiced its concern; so has the European Union. In its recent report to Congress, the State Department admitted being "disappointed" by the lack of concrete results" in the bilateral human rights dialogue, and it explicitly pointed to religious freedom being an area of U.S. concern where progress is not being made.

And I'd like to just mention a few examples of this in the last year or since the bilateral trade agreement went into effect. One is Father Lee, whom you've already mentioned, sentenced to 15 years after he was submitting testimony to our commission calling for greater religious freedom. Father Lee's niece and nephews were sentenced to between three and four years for abusing democratic freedoms after they provided documentation on their uncle's arrest to groups in California.

In July, the Venerable Tich Tried Luk was discovered in the custody of Vietnamese authorities in Hanoi. He had fled to Cambodia and disappeared from a UNHCR transit house there in June 2002. He was reportedly kidnapped and forcibly repatriated to Vietnam, though his whereabouts were unknown for over a year, and he is facing up to life in prison, and his trial date is pending.

Phong Sun Hun was sentenced to 13 years in prison on charges related to espionage and for "advocating democracy and multiparty system." His major crime was posting a Vietnamese translation of an essay, What is Democracy?, which he pulled from the U.S. Embassy Website. He remains in prison.

Win Von Liah was sentenced on July 1 to three years in prison for "abusing democratic freedoms" and for holding a commemoration ceremony for the disappearance of Wa Hao prophet Win Phu So. And there are other recent cases involving the central highlands and northwest provinces.

According to smuggled documents, Vietnamese authorities are still actively forcing Mong Christians to sign pledges renouncing their faith or face beatings, arrests, relocations and school closings. And there are reports that my organization, Freedom House Center for Religious Freedom, has released today saying that some have been beaten for death.

For example, on July 1, Von So Gao from Ha Jang province in Vietnam was beaten to death. We have a petition from his brother. We also have released the actual pledge form that Christians among the Mung are forced to sign renouncing their faith and agreeing to take up their old spirit religion. There's also recent reports from Cambodia showing that Montignards are still crossing the border to escape religious and political persecution.

And I want to just touch briefly on the Commission's recommendations. We support the language on Vietnam found in the State Department Authorization Act, H.R. 1950. It was originally introduced by Congressman Chris Smith as the Vietnam Human Rights Act, and if the Senate does not take up the legislation this year, it is our hope that Members will attach the various provisions to other appropriations bills or introduced them as freestanding pieces of legislation. As I mentioned, we also recommend that Vietnam be designated as a country of particular concern so that the administration can then choose from a list of possible actions, public actions, ones that we believe will effectively bring human rights to the front of bilateral relations, and we urge Members of Congress to press the administration to designate Vietnam as a CPC this year.

And let me take a moment to commend Congressman Lofgren and Congressman Royce for introducing H.R. 1019, the Freedom of Information in Vietnam Act of 2003. This provision regarding the jamming of Radio Free Asia, the Voice of America programming and so forth, protecting Internet sites, will help provide an alternative source of information to the Vietnamese people.

I am out of time, Madam Chairman, so let me say in conclusion, advancing free speech, freedom of religion and freedom to receive information represents not only core American values but international standards of human rights. Working to protect and promote these basic freedoms furthers the interests of both the U.S. and the people of Vietnam.

And I'd like to see if I could ask to enter into the record the petition from the person who has been murdered.

MS. LOFGREN: That will be submitted to the record.

MS. SHEA: And the pledge form; thank you.

MS. LOFGREN: As well as any part of your written statement that you had to summarize.

MS. SHEA: Yes; thank you very much.

MS. LOFGREN: Thank you very much. We've been joined by Congressman Ed Royce. Thank you very much. And we will go now for questions, and we live by the same rules, so first, we'll go to Congresswoman Sanchez for her questions and then to Congressman Royce.

MS. SANCHEZ: First of all, thank you, Ms. Shea, for being here with us today, and we've worked on this awhile now, so it's always great to see you. I wanted to know in particular with respect to Father Lee's detention, what has the United States Commission on International Religious Freedom been doing to try to help secure the release of the nieces and nephews? What has the State Department been trying to do? What is it that you think we can do to push to try to get that done?

MS. SHEA: Well, again, I think that we have to, in diplomacy, insist that they be released. They are peacefully exercising their rights to religious freedom and free speech and should not be punished for it, and I think that we should--there are a number of things we can do with CPC designation, with the Human Rights Act, with--you know, Congress has taken some steps to try to stop the Millennium Challenge Account money going to Vietnam, and I would hope that Congress would look further into that to make sure that that doesn't happen.

I mean, that would be amazing. It would be outrageous if Vietnam were to get funding because it is able to prove that it has made progress on democracy when these people are languishing in prison for nothing.

MS. SANCHEZ: In your opinion, how does Vietnam compare to other countries that have been named on the Countries of Particular Concern, on the list? Do you think naming Vietnam as a country of particular concern is important? And why would that be?

MS. SHEA: Yes; we think it's very important. The United States has made a short list of countries on this list. It's basically a blacklist. That's what it's amounted to over the years. It's only about five or six countries on the list at this point on it, and I think that adding Vietnam would be, we think, we've recommended that Vietnam would be an appropriate candidate for this if it, like China, tries to regulate and control religion and interfering in the designation of leaders, restricting religious freedom, imprisoning those who speak out demanding more rights, like Father Lee; it bans certain religions or churches, including, you know, the main Buddhist group has been tightly restricted and forced into a Government-controlled entity. So it is very comparable to what is happening in China, and China is on that list.

MS. SANCHEZ: Thank you. Those are all of the questions I have.

MS. LOFGREN: Thank you, Congresswoman Sanchez. Congressman Royce has an opening statement in addition to questions, so let's invite him to make his statement, since he was detained at the beginning.

MR. ROYCE: Congresswoman, I appreciate that very much. I guess--and I want to thank our witness here today. I guess one of the things that really concerns me is the magnitude of the crackdown on Internet freedom in Vietnam. We had a situation a couple of years ago where maybe 300,000 Vietnamese were on the Internet, and suddenly, in 2002, that became 1.3 million. And I think what we saw as a result of that, as a result of the fact that people from Southeast Asia were now going to the Internet to get their information on economic news and political news, we see these truly draconian sentences coming in and being handed down on young Vietnamese cybernet users, sentences the likes of which, 12, 13 years in prison, are so absolutely disproportionate to what the accused crime is.

And I thought Dr. Nguyen Dan Hueh's remarks on this were very interesting, because when he was sentenced, when he was rearrested, he was quoted as saying this. He said the state

hopes to cling to power by brainwashing the Vietnamese people through stringent censorship and through its absolutist control over what information the public can receive.

And I think that's why we've seen the Vietnamese Government move to have cybercafe owners and Internet service providers required now to monitor the activities, write down the name of that student who comes in to use the Internet, and then, turn that over to the state.

And this is why Congresswoman Lofgren has joined me in introducing legislation, the Freedom of Information in Vietnam Act, that would provide for another transmitter so that it makes it much more difficult for jamming in Vietnam, because the transmitter will be coming in from another direction. It will boost the hours from two hours to four a day; and it would establish a pilot project to combat Internet jamming, which I think is key if we're going to overcome this attempt of censorship by the Vietnamese Government.

Now, what I just wanted to say in my opening statement is that we were able to get some of this legislation through the House of Representatives. The State Department Authorization Bill, which passed the House, included many of these provisions. It provides for an additional transmitter, and it creates an Office of Global Internet Freedom to combat state-sponsored and state-directed Internet jamming.

But our hope now and our focus needs to be on the Senate in order to get the Senate to act soon. And if the Senate acts, we can maintain these key provisions. So that would be the thrust of what I have to say here, and my hope would be that those here who are interested in direct action on this can bring a little pressure to bear on our friends in the Senate and get them to act soon.

MS. LOFGREN: Thank you very much. I just have one question for the witness, and I think most of what needed to be said has been said. And I don't want you to answer me on the record, because I don't want to embarrass anybody. But I actually didn't know that the foreign minister was here yesterday meeting with Members of Congress, and I would like to, if you could tell us after the hearing, because I'd like to privately go with members who may not follow this issue as closely as we do and see if we can't do a little education campaign. That's why I don't want the names mentioned in public, because they may well be acting in good faith, and the three of us will go talk to them.

MS. SHEA: Treat; thank you for that inquiry.

MS. LOFGREN: Thank you very much.

MS. SHEA: And I appreciate all of your work, all of you. Thank you.

MS. LOFGREN: Well, we appreciate your efforts, and we will now--

MR. ROYCE: Could I ask one additional question?

MS. LOFGREN: Yes, certainly, yes.

MR. ROYCE: Because I wanted to ask just about the trend line in terms of human rights abuses. When I was in Vietnam, I had an opportunity to talk to several political prisoners, and they had sort of the opposite view of the conventional wisdom. They felt that the crackdowns were continuing and becoming more and more severe.

And so, my question would be do you think the situation is becoming better today in Vietnam, or are the screws being tightened on people?

MS. SHEA: Yes; thank you for that question. Our evaluation is that a poor situation has deteriorated and that we are seeing the trend line going down. And more needs to be done to, you know, really get across our central message that there has to be growing freedom, not shrinking freedom, now that prosperity is on the horizon for Vietnam.

MR. ROYCE: And, Ms. Shea, would you say that that answer underscores the need for the Senate to act on the Vietnam Human Rights Act, which we've passed over in the Senate?

MS. SHEA: Absolutely, yes, yes, we are urging the Senate to do that, and we take note of the House. We know the House has been great with that act, and I think that's very important.

MR. ROYCE: I thank you. Madam Chairwoman, thank you.

MS. LOFGREN: Just one final note, since I didn't use my whole five minutes; a little advertisement. We all received--not all of us saw it, because we have so much paper coming into our office, but a Dear Colleague letter from Congressman Cardin and Congressman Chris Smith asking that we join them in sending a letter to Secretary of State Powell urging the State Department to name Vietnam as well as Saudi Arabia and Turkmenistan as countries of particular concern, and I, for one, intend to join in that letter, and I wanted other members who may be listening to this hearing to know that there is that request out there, and we would urge that support.

MS. SHEA: Thank you.

MS. SANCHEZ: Ms. Lofgren, I have to say something for the record only because **MS. SHEA** mentioned Dr. Daniel Queh, who I had an opportunity to talk to when I was back in Vietnam actually both times. You know, at that time, in fact, three years ago when I was there, he felt that it was maybe five to 10 years away before we really broke open Vietnam, and with this trade agreement, we might have the ability to get more information in, and he really did think that the Internet was an incredibly useful tool to be able to get information in and to be able to shape the minds more open of the Vietnamese inside of Vietnam.

So it's just a shame that there has been such a crackdown, as my good colleague, Representative Royce, has said on the whole issue of Internet. It's very important that we open up that avenue as much as we can so that we continue to let the dissidents within Vietnam know that we are supporting them from the outside on the issue of their voice.

MS. SHEA: Yes; I just think it's so outrageous that somebody is given a 13-year sentence for posting an essay on What is Democracy that is taken from the U.S. Government's Website.

MS. LOFGREN: Yes.

MS. SHEA: I mean, how outrageous can you get?

MS. LOFGREN: And we're not doing much about it.

MS. SANCHEZ: I might also add that every time I meet with the Government of Vietnam, and obviously, I was invited to yesterday's meeting with the foreign minister, there's not much good that I have to say even to them in person. But I will say one thing: they have allowed me entry into the country now two times. I am planning to go in November, and I hope that they will grant me a visa, and I know that I'm trying to get our Chairwoman here also to go with me in November, once again, to meet face-to-face with them. They need to know how we feel. They need to hear it from us, in particular.

So they have granted before; I hope that they will grant this time for us to go and meet with them.

MS. LOFGREN: Thank you, **MS. SHEA.** And we will now ask panel number two to come forward. You know who you are. And I will do--if we can get our name tags for the second panel, Dr. Doan Viet Hoat could not be here today, but he has graciously offered his written testimony, which we will enter into the record. And it's important testimony. He spent 21 years in the Vietnamese prison for publishing his magazine.

Our second witness is Mr. Nguyen Tu Cuong, who is the executive director of Vietnam Helsinki, a Vietnam human rights advocacy group based in Washington, D.C. He's the former community liaison to the Mexican-American community of Washington, D.C., Maryland and Virginia and the former vice-president of the Washington Area League of Vietnamese Mutual Assistance Associations. He has authored, edited and translated numerous publications, articles and materials on human rights and immigration, including 1975 to 1995 Religious Persecution in the Socialist Republic of Vietnam: A New Life in America. He will read Dr. Hoat's written testimony and offer some of his own.

Our third witness is Ms. Tala Dowlatshahi--I'm mispronouncing your name, but you will correct me--Dowlatshahi. She is the U.S. representative for Reporters Without Borders. This international organization is based in Paris and condemns attacks on press freedom worldwide by defending journalists and other media professionals who have been imprisoned or

persecuted for doing their work, and it also speaks out against abusive treatment and torture and supports journalists who are being threatened in their own countries and provides financial and other support to their needy families. They publish an annual report on Vietnam, which we very much appreciate, and another annual report called Obstacles to the Free Flow of Information Online.

Our fourth witness, Mr. Pham Ngoc Lan, is a San Jose, California resident, I'm happy to say, and Vietnamese expatriate who operates the Thong Luan Website, shortened from the Vietnamese for information and debate. This site posts writings from dissidents both in Vietnam and abroad and has been firewalled by the Vietnamese authorities to prevent access by Vietnamese citizens. But people still use proxies to bypass Government filters by masquerading the sites they are trying to reach. He is a member of the Rally for Democracy and Pluralism, a political group formed 20 years ago, promoting democracy and pluralism using nonviolent means. He was recently sentenced to 13 years' imprisonment for charges of espionage after he used email to communicate with a leading member of the Rally for Democracy and Pluralism.

And our final witness is Daniel Do-Khanh, president of the Southern California Chapter of the Vietnamese-American Political Action Committee and the Orange County Asian-American Bar Association. He is an attorney with Stockwell, Harris, Witham and Wolverton in Orange, California, and he sits on the board of the Orange County Bar Association, the American Opportunity Foundation, the Orange County Asian-Pacific Islander Community Alliance, and he is a co-founder of the Vietnamese-American Coalition at the University of California at Irvine.

We thank you all for being here today, and we welcome your testimony, and then, we will get to questions, and we have lucked out so far on the votes not being called.

MS. SANCHEZ: Madam, the votes are supposed to come up at 3:30, so I actually think we're going to get through our hearing.

MS. LOFGREN: All right. And who would like to go first? We'll start here.

MR. CUONG: First, I will read the statement by Dr. Hoat. He's currently in Europe now, attending a conference of all the Vietnamese democracy advocates overseas, mostly from Europe and Eastern Europe to develop policies and for a campaign against the Vietnamese Government on the question of freedom of expression and information. It's going to be a quick one, because he has submitted written testimony. Thank you for the opportunity to testify on the Vietnamese Government on the attack on the media and access to information. I wish to express in particular my deepest respect for Congresswomen Lofgren and Sanchez, Congressman Royce and the Congressional Caucus on Vietnam for their unfaltering efforts to protect human rights in Vietnam.

The last 15 years, the Vietnamese Government has adopted a policy of openness in order to prop up Vietnam's ailing economy and give sell to international standards. Yet, until this year of 2003, Vietnam has remained one of the poorest countries in the world, and it is

continuing to seek assistance, especially from humanitarian aid and investment from the international community.

On paper, freedom of expression and information is stipulated in the Vietnamese Constitution. As Vietnam ratified the United Nations International Convention on Civil and Political Strife, she is expected to implement to covenant with strict particular adherence to Article 19, which says everyone shall have the right to seek, receive, impart information and ideas of all type, regardless of conscience.

In reality, Vietnam denies to its citizens the right to freedom of expression and opinions by the media, including the press, television and radio broadcasts, Internet or other activities, et cetera. There are about 5,000 Internet cafes in Vietnam that operate under the joint control of the Ministry of Culture and Information and the Ministry of Post and Telecommunications. Approximately 2,000 Websites are blocked for allegedly disseminating subversive or reactionary messages.

The Vietnamese Government often subverts the Vietnamese Constitution with the issuance of decrees and directives and press laws aimed at tightening its control over these dissident voices. Over 500 newspapers and magazines, privately owned, are currently in circulation in Vietnam. All are subject to tight censorship. Censorship also applies to foreign reporters and imported magazines. No foreign and domestic reporters were allowed to visit and report firsthand on the ethnic minority trials in the central highlands or the trials of Catholic priests Duin Hong Lee, Le Che Huang, Din Quac Huan and Phan Hung Son.

The police were instructed to confiscate publications lacking official approval. In June 2002, over seven tons of books, mainly publications by internationally-renowned dissidents, were burned. Nearly 41,000 compact discs; over 800 videotapes; and 3,000 books were destroyed. There are no public-owned radio and television stations and programs in Vietnam. Radio Free Asia's Vietnamese programs and Mung Christians' radio broadcasts were jammed. Listeners to these broadcasts were harassed and in most cases punished.

According to a directive issued June 24, 2002, only top-ranking government and party officials as well as foreigners are allowed to watch international satellite television programs in Vietnam. Among the varied ways and forms of repression of freedom of expression and freedom of information is the tactic of showcasing the true law versus rule by law. Administrative measures have been extensively and arbitrarily applied to legalize and codify repression.

The Vietnamese Government systematically utilizes administrative detention to repress freedom of the press, expression and information. Under Decree 31CP, many cyber dissidents and dissident writers have been imprisoned without trial, condemned to harsh sentences by kangaroo courts or put under house arrest. Other laws and regulations have been passed to tighten the control of the press and Internet as stipulated in the Press Law and Internet Resource Administration Regulation of 1992.

Since the judicial branch is not independent, and I have a list of 14 high-profile cases where cyber dissidents, journalists, writers, artists, researchers, democracy advocates and human rights activists are serving lengthened sentences for simply exercising the freedoms enshrined in the Vietnamese Constitution. And these cases show only the tips of the iceberg in question, and the full description of individual cases can be found in this publication that we would like to submit as part of the testimony.

MS. LOFGREN: We will take all of that in the record.

MR. CUONG: So, we move on to the recommendations since we are running out of time. Therefore, we recommend that the United States Congress and Government put persistent pressure on the Vietnamese Government to release all religious leaders, dissidents, democracy advocates in prison and in administrative detention as well as abolishing institutions, policies and measures aimed at repressing freedom of religion, opinion and information.

Second, develop technologies as well as authorize additional resources to defeat state-directed Internet jamming and censorship. Third, demand the Vietnamese Government to stop all forms of information censorship. And fourth, attach improvement in human rights to all programs of cooperation assistance to Vietnam. Fifth, mandate and commission governmental and parliamentary agencies to monitor the human rights situation in Vietnam. Demand concrete benchmarks and cooperation from the Vietnamese Government for a free, fair, and two-way flow of information and exchange of cultural products, both in the Vietnamese and American languages between the two peoples, including the Vietnamese-American community.

Thank you again for inviting me for this important--and this is, I was particularly gratified, because I'm one of the first Vietnamese most affected since 1975 by the Vietnamese Government's assault on the media and access to information.

MS. LOFGREN: Thank you very much. Now, you have your own testimony, too.

MR. CUONG: Yes, I have my own testimony, too. Since we don't have much time, I'll try to be very short.

MS. LOFGREN: Thank you.

MR. CUONG: And we'll have time for questions later. Thank you for this opportunity to testify on the Vietnamese Government assault on the media and access to information. I wish to express, in particular, my gratitude and respect for Madam Chairwoman, Congresswoman Sanchez, Congressman Royce and other distinguished members of the Congressional Caucus on Vietnam and the Congressional Human Rights Caucus. Their leadership and unflagging efforts to protect human rights in Vietnam have made a difference in the lives of thousands of Vietnamese victims of repression in and outside of Vietnam.

Recently, the Vietnamese Government has stepped up repression on democracy advocates, especially cyber dissidents in Vietnam. In response, the Vietnamese-American community has launched, in collaboration with Vietnamese democracy activists overseas, a campaign for free expression and information in Vietnam. The campaign's first publication, Violation of Free Expression and Information, that I co-edited with Dr. Hoat documents the 14 most high profile cases of writers, journalists and cyber dissidents that the Vietnamese Government has repressed against their freedom of opinion and speech and freedom of the press, and I would like to submit that as a part of my testimony, too.

In this presentation, I would like to focus on the two issues that I think are of great concern to you and members of the House and the Senate in recent months. They are the Vietnamese Government censorship of the Internet and the jamming of radio broadcasts by Radio Free Asia.

With the introduction of the Internet and Vietnamese adoption of a policy of seeming openness, more Vietnamese people are empowered to seek, receive and impart information. The Internet is the most powerful engine for the free exchange of ideas and democratization. It enables people to form opinions and share information and communicate in ways that are direct, fast and effective. And pro-democracy activist intellectual leaders, young professionals in and outside of Vietnam have increasingly used the Internet to disseminate information affecting Vietnam and the Vietnamese people as well as to conduct online debates on the issues of vital interest to the country: mainly, corruption, economic reform, democratic imbalance.

Failed by the loss of monopoly of power, the Vietnamese Communist Party Government has employed varying methods to block access to the Internet. Firewalls, content filters, black boxes have been installed to block, jam, monitor Internet access and content. Email messages and message boards have been subject to Internet police surveillance. Blacklists of Internet users who frequently visit sensitive Websites have been developed. Code words have been used to identify monitored content and proxy Websites. State-directed Websites have been created to trap unknowing Internet users by asking for their usernames and passwords.

Furthermore, the Vietnamese Government has issued many numerous decrees, regulations and circulars to deter or deny access to the Internet. Second, jamming of Radio Free Asia broadcasts and persecution of RFA listeners: there are no privately-owned radio and television stations or programs in Vietnam. As a private, nonprofit corporation founded under the provisions of the International broadcasting Act, RFA has become a vital substitute for indigenous free media covering events occurring in and out affecting Vietnam. To counter this increasing popularity among Vietnamese dissidents, the Vietnamese Government accused RFA of sabotaging national unity, inciting violence and disseminating lies.

Since its inception, the Vietnamese Government has systematically jammed RFA broadcasts and blocked its Internet site. Email received from RFA listeners inside Vietnam confirm various monitor reports are jamming activities are most active and powerful in northern Vietnam and the central highlands. The jammer is reported as a bubble jammer which effectively makes clear and constant reception very difficult. And besides jamming, the Government has

resorted to neighborhood watch intimidation, harassment and imprisonment to prevent people from listening to broadcasts by RFA and other broadcasts. And I will not go into detail.

The situation of freedom of expression and information in Vietnam has deteriorated in the last few years. Many dissenting voices have been silenced. Vietnam has failed to meet its obligation as a signatory to the United Nations. Ironically, freedom of expression and information in Vietnam has been suppressed with such skill and unprecedented intensity right at the time economic renovation is beginning its momentum. Restricting access to news information on the Internet only, in Ambassador Burkhart's words, serves to disadvantage the competitiveness of Vietnamese domestic firms in the global digital economy. In the context of the BTA, investors will not be fully confident until Vietnam seriously implements a policy of transparency, openness and direct access to information.

And I have some recommendations, if I have time; just a few: experts recommend persistent pressure on the Vietnamese Government for release of pro-democracy advocates. Second, denounce publicly the Vietnamese strict censorship and banning access to information. Authorize the commitment of international broadcasting resources to development of technologies to combat state-directed censorship and jamming of the Internet and Radio Free Asia broadcasts. And lastly, attach adherence to transparency, openness and ease of access to information to all programs of cooperation and assistance to Vietnam. Thank you again for inviting the Vietnam Helsinki Committee to testify.

MS. LOFGREN: Thank you very much, and I would now like to ask Mr. Pham Ngoc Lan to give his testimony as well. I thank him for coming all the way to San Jose to do so. I know what's that like, since I do it every week, and the trip from California can be a tiring one, so thank you very much.

MR. LAN: First of all, I would like to thank Congresswoman Zoe Lofgren for inviting me to this briefing. This is a very good opportunity for me to testify on the Vietnamese Government's assault on the media and access to information. I have written testimony that I will summarize just quickly in respect of time right now.

MS. LOFGREN: Your full statement will be submitted for the record.

MR. LAN: This testimony will be in three parts. The first part is about the firewalls. I think that I am here because of these firewalls. The Vietnamese Government has installed firewalls nationwide to keep Internet users from connecting to a certain category of Websites. But what these firewalls are supposed to block, a year ago, the Vietnamese Foreign Ministry spokeswoman told the BBC that Vietnam only uses firewalls, I quote, against, one, pornographic sites and, two, those which incite people to violence, end quote.

I can testify today that this declaration is not true. Firewalls are also and maybe primarily used against peaceful Websites posting articles that the Vietnamese Government doesn't like. I'm a member of an organization called Rally for Democracy, RDP for short, created in 1982. It now has chapters in countries where the Vietnamese diaspora live.

Since 1988, we have been operating a monthly newsletter. And five years ago, in 1998, we had a Website called www.thongluan.org. I was the creator of this Website, which is now updated regularly with articles and writings promoting democracy in Vietnam from others living in Vietnam as well as abroad.

Anyone accessing this URL, www.thongluan.org, can testify that, one, this is not a pornographic site, and, two, there is no article inciting people to violence. We are promoting nonviolent means in our struggle for democracy. Nonetheless, our Website is firewalled in Vietnamese. This simply demonstrates that the Vietnamese Government doesn't admit that the firewalls are used against peaceful Websites promoting democracy, as it never admits that Vietnam has prisoners of conscience. You can read more all about firewalls and how to bypass it in my written testimony.

The second and third part of this presentation is about the two cases, very well-known cases. The first is Le Qui Quan, a cyber dissidents, and Pham Hong Son. You all know about these cases. I only want to testify about two very specific details on these cases.

First, Le Qui Quan, a 35-year-old Hanoi resident, arrested and detained in February 2002 after being accused of posting several essays on the Internet. The indictment--we have the indictment in Vietnamese, and I have translated it, and it is attached to my written testimony. The indictment stated that the Vietnamese Internet service provider company called SPT informed the Ministry of Security that Le Qui Quan frequently attended a cybercafe in Hanoi. There is the address of the cybercafe in Hanoi; very precise.

The indictment also stated that Le Qui Quan was charged of sending five emails to a specific person named Minh Jac II. It's from this SPT report; a member of our organization, RDP. That's why I'm here to testify for that. Five emails from January 29 through February 2, quote, in which he distorted the political situation of the country, decrying the internal situation of the Party and the Government; spreading rumors that the Government has dispatched security and military agents to the central highlands. Because of writing seven peaceful articles and sending five emails, Le Qui Quan was sentenced to four years. You all know that. I want to emphasize that two weeks ago, we received from Le Qui Quan's family alarming news on his health.

Now, the third part of my presentation is about Pham Hong Son. Again, a very famous case, everybody well knows; but also, in the indictment charging him with espionage doesn't expressly mention the fact that he has translated an article from the United States Embassy. You know, everybody, all the press says because of that, he was sentenced. But the indictment doesn't say that. The indictment says that there are alleged crimes of using email to communicate with other dissidents in Vietnam and Vietnamese in exile, among them, Mr. Minh Jac II.

This demonstrates how closely the Vietnamese authorities monitor citizens' private email and access to the Internet. Pham Hong Son was charged with espionage and sentenced to

13 years. Then, with the pressure of human rights organizations and Western Governments, the appeals court has dropped his imprisonment period to five years.

I can testify that the contents of the e-mails exchanged between Dr. Pham Hong Son and my friend, Minh Jac Il, has no state secrets.

Finally, I want to conclude. I want to use this case of Pham Hong Son to emphasize one point: the pressure from international human rights organizations as well as from Western governments, especially from the American Congress and administration, is much more efficient than argument when dealing with the Vietnamese Government's assault on the media and access to information. Thank you, and I'm looking forward to answering your questions.

MS. LOFGREN: Thank you very much. We've obviously been joined by Congressman Davis of Northern Virginia; thank you very much, and we'll call on our third witness, **MS. DOWLATSHAHI.**

MS. DOWLATSHAHI: Thank you, Madam Chair, and Representatives Sanchez, Royce and Davis for inviting Reporteurs Sans Frontiers, to participate in this very timely and relevant briefing.

I also would like to put for the record--I brought copies of our Internet Under Surveillance report, which chronicles globally what's happening with the Internet.

MS. LOFGREN: Very good.

MS. DOWLATSHAHI: Censorship and repression is nothing new in Vietnam, and Reporters Without Borders has been monitoring freedom of expression in the country for more than 15 years. In many ways, Vietnam is chronicling the path of the Chinese Government when dealing with the media, the Internet and dissidents. This is where Reporters Without Borders steps in, by petitioning for the release of journalists and lobbying with human rights organizations and governments to promote press freedom under Article 19 of the Universal Declaration of Human Rights.

The ruling Communist Party, under the leadership of Prime Minister Pham Dun Kai, stepped up its repression of dissidents, especially journalists, who use the Internet to put out their news. Almost all Vietnamese language publications are run by the Communist Party, the army, the official news agency and town governments.

The government also controls the broadcasting media and tries to curb the growth of illegal satellite receiver dishes in the main cities. The authorities have also rejected all requests for publishing licenses from dissidents and/or independent organizations.

There are currently over 1.5 million Internet users in Vietnam. During the year, police were ordered to monitor the 4,000 cybercafes used by nearly 600,000 people who go online.

Access is blocked to Websites considered quote, unquote reactionary, especially those run by exiled dissidents. To date, five cyber dissidents remain in prison.

The biggest of the five public or part-publicly owned ISP, Internet service provider, Vietnam Data Communications, VDC, catering to nearly a third of all Internet users, is controlled by the post and telecommunications industry, DBGT. The Government blocks access to Websites it considers politically morally, quote, unquote dangerous, including foreign news sites and those of human rights organizations set up by Vietnamese abroad.

But the government also uses the Internet for propaganda purposes. The proceedings of the Ninth Communist Party Congress in April 2001 were reported in several languages on the Website of the official Vietnam News Agency, VNA. Internet access points were set up around the country so the population could follow the Congress. Deputy Culture and Information Minister Nguyen Kak Hai ordered police on the 8th of January 2002 to seize and destroy any publication not authorized by the government. The BBC reported that photocopies of printouts from the dissident news Website Dialogue were among the casualties.

The government newspaper Tho Binh Ki Te Vietnam, Vietnam Economic Times, said on the 26th of June 2003 that the government planned to set up a national monitoring system to ensure that cybercafe users could not access quote, unquote, politically or morally dangerous Websites. The paper went on to state that the Culture and Information Ministry had recorded very many violations of the law in spreading subversive material and publishing state secrets.

For example, the Culture and Information Ministry blocked the Internet Website TTVOnline.com on the 7th of August 2003 for posting news items that violated the press law by, quote, unquote, distorting the truth and by not having prior authorization. The ministry's information chief said the site indulged in quote, unquote, sensational journalism.

Five cyber dissidents were arrested in 13 months. Le Chi Quang, a 31-year-old computer teacher and law graduate was arrested on the 21st of February 2002 in a Hanoi cybercafe and charged with spreading dangerous information abroad. He was arrested after posting on the Internet a very detailed article he wrote entitled quote, Beware of the Empire to the North, about the circumstances of the government's signing of the border agreement with China in 1999. He was sentenced to four years in prison on the 8th of November and three years of house arrest after that for, quote, opposing the Government of the Socialist Republic of Vietnam, unquote, under Article 88 of the criminal coded banning the distribution of antigovernment material.

Cyber dissident Ni Kan Tuan was jailed for 12 years on the 20th of December 2002 by a People's Court in Hanoi for spying, quote, unquote, after emailing material to allegedly reactionary Vietnamese human rights organizations abroad. His rights to a fair trial were ignored, and the hearing, which lasted only a few hours, was held in secret, in violation of Article 131 of the National Constitution and without family members present.

On August 26, 2003, a five-year sentence was imposed by an appeal court on Vietnamese cyber dissident Pham Hong Son, who has been imprisoned for more than a year and a half. He was sentenced in June 2003 to 13 years in prison and three years of house arrest, allegedly for spying. His alleged crime was translating an article about democracy and posting it on the Internet. Said Reporters Without Borders Secretary-General Robert Menard, quote, five years in jail for translating an article about democracy and posting it on the Internet is very heavy punishment, unquote, calling on the international community to continue pressing for Pham Hong Son's release.

Tranh Hu, a 67-year-old literature teacher and founder of an anticorruption group, was arrested on the 29th of December 2002 and has been held without trial for posting criticism of the government on the Internet. Several sources say he may have died, but this is yet to be confirmed by authorities.

In early April 2002, the Communist Party banned-

MS. LOFGREN: If you could summarize a little bit, because we're going to have votes at 3:30, and we want to hear from **MR. DO-KHANH** and also get our questions in.

MS. DOWLATSHAHI: Okay; just to summarize, the testimony will go for the rest

MS. LOFGREN: Right; we'll get it all in the record. We'll put it in the record.

MS. DOWLATSHAHI: I can just follow up with recommendations of what we can

MS. LOFGREN: That would be terrific.

MS. DOWLATSHAHI: Reporters Without Borders requests the Vietnamese Government for the immediate release of the dissidents and dissident journalists currently detained. We also request the reform of the present Internet laws. And the third is to support the dissident Websites and publications in and outside Vietnam.

MS. LOFGREN: Thank you very, very much. Our final witness is Daniel Do-Khanh, and we're eager to hear your testimony, and thank you for coming all the way from California. Loretta knows what it's like to come every week from Orange County.

MS. SANCHEZ: Yes; I would just like to say, Dan, that it's good to see you here, and looking forward to your testimony. Thank you for coming.

MR. DO-KHANH: Nice to see you, too. Thank you. Good afternoon, distinguished members of the Congressional Caucus on Vietnam and the Congressional Human Rights Caucus. I appreciate the opportunity to appear before you today on behalf of the Vietnamese-American Public Affairs Committee, a national grassroots organization of Vietnamese-American voters.

VPAC is deeply concerned by the escalating political persecution in Vietnam. Nowhere is the trend more evident than in the Government's crackdown on peaceful expression over the last year. Independent observers often notice the wide gap between Vietnam's potential and current state. Much of the reason lays in how the Vietnamese Government restricts information and, in fact, punishes citizens for exchanging ideas.

A top official at Vietnam's Ministry of Culture and Information publicly declared, quote, restaurant owners must guarantee the food is free from harmful substances. Therefore, it's the same with Internet cafe owners. They're not allowed to provide young people with poisonous substances. Mr. Pham Lan had covered Le Chi Quan and Mr. Pham Hong Son, so I won't go into detail about their situations, but I'd like to note that September of 2003 marks a full year since former journalist Nguyen Bu Binh was arrested after distributed articles critical of the government corruption and mismanagement. Prior to his arrest, Mr. Binh had repeatedly called for political change, including in written testimony for a Members' Briefing organized by the two Congressional caucuses present today. Perhaps it was that international visibility that has so far deterred the Vietnamese authorities from sentencing Mr. Binh to the kind of long prison sentence other Internet activists have received.

These are just a few examples. International attention is crucial, but it must be sustained. For example, this year, the two highest leaders of the banned Unified Buddhist Church of Vietnam, Venerable Tip Quen Quanh and Venerable Tik Wan Do were released from house arrest due to international pressure. The role of the U.S. Embassy in achieving this was pivotal. Nevertheless, it is vital that the pressure be maintained. Vietnamese authorities continue to hinder the movement and activities of the two Buddhist leaders.

Recently, the Venerable Tik Wan Do traveled to Guen Yen to meet with followers of the Buddhists and other Buddhist leaders but was met with constant harassment and interference by the secret police. VPAC echoes the feelings of all Vietnamese-Americans in wanting to see Vietnam achieve comprehensive and sustainable development. We believe that the gap between Vietnam's potential and reality can be closed through true progress, which would include enabling its citizenry to exercise the basic human right of freedom of expression.

I would like to propose three specific actions for the Congressional Caucus on Vietnam and the Congressional Human Rights Caucus. First, call on the U.S. Embassy to be more active in visiting with dissidents and monitoring their situation, especially prisoners of conscience who are in poor health. Two, organize a Congressional delegation to visit dissidents and investigate the human rights situation. Three, continue to support the passage of the Vietnam Human Rights Act, to ensure that closer relations with Vietnam are consistent with human rights promotion.

It's clear that Vietnam is in a quagmire right now. On the one hand, it wants to promote progress and economic growth, and it knows that it has to be done through the Internet and technology. But on the other hand, it is accustomed to maintaining control of power through the control of information.

And so, as Representative Royce had mentioned earlier, the numbers that are using the Internet are increasing, and it's something that I don't believe the Government can stop. They can induce fear and intimidation, but the bottom line is that as we see our children, they are so sophisticated in using technology; I grew up with using computers through college, and yet, my nephew, who has gotten on the Internet, knows all of these things that they can do with it. And so, it's like a wildfire spreading, and I don't think it can be stopped.

So I think that the support, you know, this type of information, the support of the dissidents, and when you say dissidents, I think there are a lot of people who have come out just with new knowledge and just being exposed to new things; for instance, remember when you were in high school or college, and you had read a passage of a book or learned from a professor some new concept that was just so interesting, it motivated you, and it made you want to learn more about it.

I think the same is true with a lot of young Vietnamese. I think young Vietnamese people right now who are exposed to this, I think that it is going to create an opportunity for really, you know, strong and significant changes in Vietnam, improving the human rights condition and hopefully move towards democracy, and I think that the work that you do here now is very significant and important, namely, the dissidents, they--it is in their hearts to do what they do. Whether they are sentenced, or whether they are punished, they will continue doing what they do.

But with your concern, with your attention to their plight, I think it gives them more strength and more hope to continue. Thank you.

MS. LOFGREN: Thank you very much. And, really, thanks to all of you for your testimony. We have just a short while before we will have to go and vote on the floor of the House, so let me invite the members in the order which they got here--that's the Jim Sensenbrenner rule. First, Congresswoman Sanchez.

MS. SANCHEZ: I love being punctual. Thank you all for your testimony. I actually do have a lot of questions, but I do so appreciate that these Congressional hearings and this Congressional caucus has really been a bipartisan effort, and so, I do want to give a chance to my other colleagues.

I do want to say a couple of things. First of all, Dan, it's very interesting to hear you talk about young people and the ideas and really the energy that handwriting people have, because I think that's very important when we talk about Vietnam, because, as we know, so many of the people who live in Vietnam today were born after 1975.

And I remember being there the last time with President Clinton and, more importantly, with Chelsea Clinton. And the young people of the country were so amazed about Chelsea--not so much--the President really drew a crowd, but they, everyone I talked to, all these young people were talking about Chelsea. Why? Because they were not used to seeing a young

person be important in their country. And Chelsea was showing them that young people can take leadership positions, can be somebody, can do things. And I think that's very important. I think our young people outside of Vietnam who are Vietnamese, Vietnamese-American or French-Vietnamese or whatever have a big role to play with changing what is going on in Vietnam.

And that's why I think this whole issue--I'm so glad that Ms. Lofgren brought up the whole issue of the Internet this time, because it is an important tool for us to change, really, the soul of Vietnam. And I see it more, and again, I hope to go back in November, and even the leadership is beginning to be younger in Vietnam, and that's where my hope really lies for this change to occur finally. I see it as just a floodgate opening up.

And so do the dissidents. The last time I was there, three of them--I met with five that had never met each other, including General Do-Hu of course, who has since passed on, but it is so important to give them hope. And so, I'll stop at that. I have questions. I'll submit them, and hopefully, you can give them to us in writing.

But, you know, we need to keep at it. We really do need to keep at this. And so, I thank you for being leaders in the community, all of you who are here and who continue to press and continue to press us to do something about this. Thank you.

MS. LOFGREN: Thank you. Congressman Royce?

MR. ROYCE: Yes; I was going to ask a question of Mr. Pham Ngoc Lan. And you mentioned your own Website that you host in order to encourage information. And maybe I don't understand enough about the technology here, but how do you--how do you track visitors to your site, and how are you cognizant they're using your site, given the fact that you also know that the Government is taking down the information? Is it, as Mr. Daniel Do-Khanh said, the reality is that young people are becoming so adept at this that they can figure ways to circumvent the controls?

MR. LAN: We don't track, in Vietnam, who can connect or not. In fact, we are not so--this high-tech now.

MR. ROYCE: But you wouldn't say it's advanced specifically?

MR. LAN: Yes; but we have connections to people in Vietnam, and five years ago, when there was no firewall at that time, so, maybe in the first year that it was okay. Then, the firewall begins. Then, they begin to find a way; that's the proxy. Proxy is just another, like, one very famous is called www.anonymizer.com, and you go to this site; then, you just hide your own URL, and they will take a way to bypass it. But the Vietnamese police are aware of that, you know. They are not stupid guys. So they--

MR. ROYCE: Now, are there any NGOs that are operating right now helping to fund these Websites or helping to figure out ways in which they can advance freedom of speech?

MR. LAN: I don't know NGOs about that, but I know a lot of private and young guys who are developing a lot of proxies, and there are new proxies every day.

MR. ROYCE: How about the National Endowment for Democracy as a typical NGO? Do any of our panelists know offhand? I don't know the answer to that?

MS. DOWLATSHAHI: I was just at the National Endowment for Democracy. So, yes, they are. They fund locally for specific organizations based within Vietnam. I also know that Human Rights Watch has been very active in the region and continues to protect journalists as well. And Amnesty International has a specific section that works on Vietnamese issues in particular as well as our organization.

MR. ROYCE: This morning, I was meeting with someone from RFA, and they were explaining about the jamming efforts on their Websites. And I was wondering if we should be looking at anything like bolstering the effort at the NED in order to try to work through a systematic solution to this.

MS. DOWLATSHAHI: I would recommend further conversation with the colleagues at the National Endowment for Democracy. There is a need, and they are willing to fulfill it. They just need to figure out who is based locally; who can receive the funding that they can give; that they need that lobbying support and are trying quite effectively to get that lobbying jump started. So I am sure they would appreciate that very much.

MR. ROYCE: Thank you. Madam Chairwoman, thank you.

MS. LOFGREN: Thank you. Congressman Davis?

MR. DAVIS: Well, thank you. I want to thank you all for being here and continuing to carry a torch. You know, we suffer sometimes under the illusion that sometimes, we become a little more tied to Vietnam that somehow freedom has loosened up over there. And the fact of the matter is that in some ways, it's gotten worse. And your being here, your relating these stories is very important to all of us. And we need to continue to keep the pressure on that government.

It's my belief that, over time, if the Internet goes, as we get more people travel throughout, that the forces of history will overwhelm the current regime. In history, they call it the law of relative deprivation. But revolutions, whether peaceful, will not occur when things are getting better because of the rising expectations of the people. And I hope that Vietnam will be free again. But your being here; the courage that you have shown in speaking out and the courage of others that you've related is, to me, very, very inspiring, and I appreciate it.

I represent Northern Virginia. I have a huge Vietnamese population there, the Eden Center out there; Dr. Nguyen Dinh Quay is one of the most vocal advocates of freedom there, and since 1975, he has refused to leave Vietnam. He has turned down offers to resettle in the U.S. and continues to speak out for freedom there. Dr. Nguyen Van Lee has been imprisoned in

a Vietnamese cell for over two years. He's a Catholic priest who has spoken in support of religious freedom and tried with no legal representation; sentenced to 15 years. Two of his nephews and one of his nieces were recently placed under pretrial detention for transmitting information about and messages from him to human rights organizations.

These arrests demonstrate the acute, the increasing numbers of human rights abuses and rocky road for freedom of speech. But your courage here, I think is inspiring to all of us here. And I just want to thank you for it and say that I think better days will come.

MS. LOFGREN: Thank you very much. I just have a couple of questions and maybe an observation. I guess to my constituent, Mr. Pham Ngoc Lan, first, thank you, but it's, to me, that Silicon Valley would have someone doing a Website makes a lot of sense to me, and I'm thinking about, given the technology talent that we have in our valley and how rich that is, even though the economy is probably--of course, thousands of people have been laid off--whether we have been successful in pulling in the intelligence, creation, innovation and talent to try and defeat the firewalls and to use--obviously, we have political tools that we should use, but sometimes, the easiest early answer is technology tools.

Can you tell us anything about that?

MR. LAN: I don't know specifically people or companies out there developing products, but I'm sure that is in Silicon Valley; that's where the heart of the high-tech and software companies are. And, you know, I mentioned earlier this--it has been firewalled in Vietnam.

MS. LOFGREN: Right.

MR. LAN: But two days ago, I discovered another proxy, and I sent it through my email to somebody I know in Saigon and now, yes, I've got to go. So I do this every day, and I find new developments, because young people are very creative.

MS. LOFGREN: Yes.

MR. LAN: And also, they don't understand why the government should forbid the access to the Internet that, in the whole world, information is critical for development, for business, for everything. And so, I think that I agree with that. Young guys now are very, very active in this domain, yes.

MR. DO-KHANH: Well, I agree. I think that you're going to find activists that were not traditional activists, people with, let's say, business interests that because of this broad, sweeping, you know, anti-Internet information that it affects their business and their daily lives; that they will find ways to either, you know, find ways around it or find ways to, you know, propose or promote this more open Internet with the Government.

MR. CUONG: Madam Chairman, if I may, I have two things. First, I think we should always be looking for new technologies and techniques, you know, to combat state-directed jamming. But I think out there, commercially, we already have a lot of technology that we can use. It's a matter of resources. I grabbed all of the bills that you have introduced; they have become provisions of the impending bills, the State Department bill, the Global Internet Freedom and also the Vietnam Human Rights, and you're allowing resources.

And I talked with different people who are familiar with jamming, and they said that you have a lot already technology, used already by Voice of America, International Broadcasting Bureau, to combat that. So we should have more money and more staff to deal with that.

MS. LOFGREN: As you know, we agree with that.

MR. CUONG: And the second point, I totally agree with Congresswoman Sanchez that today, we have more energy, more idealism in the young people, you know, especially in Vietnam. But we are glad, in the case of Vietnam, that in the current democracy movement in Vietnam, we have both the wisdom of the older people and also the young, the energy of the younger.

I'm a middle-aged generation; I'm not asking for this. Today is October 1 is United Nations--

MS. LOFGREN: You have both energy and wisdom.

MR. CUONG: What's that?

MS. LOFGREN: You have both energy and wisdom.

MR. CUONG: Oh, okay, thank you.

[Laughter.]

MR. CUONG: Today, October 1, is the United Nations Older People Day, I think. We should concentrate--I would like to echo the Amnesty International demand for immediate, unconditional release for all elderly Vietnamese prisoners of conscience. And you talked about Dr. Minh Dan Queh. You talked about Professor Mu Ding Que. You talked about Pham Que San and then about the Most Venerable Dikh Bin Quang; he's still technically, I think, under house arrest.

MS. LOFGREN: Thank you very much. I can see that I need to live by the rules that others have. My light is up. But that is a great suggestion you have made, and I think the four of us should put together something to that effect focusing in on the elderly.

And I'd like to thank the Human Rights Caucus staff and the staffs of all of the members but especially my own staff for helping to put together this hearing.

I think that by taking the testimony that you have delivered today and entering it into the Congressional Record, and if you would help us by letting people know in Vietnam, at least these truths are available from the United States Government, we'll see if the Vietnamese Government wants to block the U.S. Government and then what we do about that.

Thank you very much for all that you've done today and all that you'll do in the future. You make us proud.

[Whereupon, at 3:30 p.m., the briefing concluded.]